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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

OLIVERTO ESPINOZA, ET AL., ) Case No.: C 09-04539 JF/HRL  
Plaintiffs, )  
v. ) **ORDER RE APPEARANCE OF  
KOBE JAPANESE RESTAURANT AT SETTLEMENT  
CONFERENCE**  
KOBE JAPANESE RESTAURANT, ET )  
AL., ) [Docket No. 11]  
Defendants. )  
\_\_\_\_\_  
)

In the above-captioned action, a settlement conference is scheduled to be held on April 16, 2010. *See* Docket No. 11. To date, defendant Kobe Japanese Restaurant has not appeared with counsel. (“defendant” or “Kobe Restaurant”).

IT IS ORDERED that, absent further order of this court, defendant Kobe Restaurant may appear only through counsel, and not *in pro per*. *See* Civil L.R. 3-9(b) (“A corporation, unincorporated association, partnership or other such entity may appear only through a member of the bar of this Court.”).

The court hereby notifies defendant Kobe Restaurant that the court intends to take judicial notice of the fact that defendant is a corporation, as disclosed via a search of the California Secretary of State’s website.

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*See* <http://businessfilings.sos.ca.gov/frmDetail.asp?CorpID=C03275952>.

If defendant Kobe Restaurant objects to the court taking such judicial notice it shall file an objection no later than April 6, 2010. Any such objection must include a showing that defendant Kobe Restaurant is not a corporation.

4 || Dated: March 26, 2010

Patricia V. Trumbull

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**PATRICIA V. TRUMBULL**  
United States Magistrate Judge

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